

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

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KARL MITCHELL,

Plaintiff,

v.

COUNTY OF NYE, a political subdivision of
the State of Nevada,

Defendant.

Case No. 2:15-CV-01714-APG-NJK

**ORDER SETTING ASIDE CLERK'S
ENTRY OF DEFAULT**

(Dkt. #13)

On December 18, 2015, the clerk of the court entered default against Nye County. (Dkt. #12.) Nye County now seeks to set aside that default because plaintiff Karl Mitchell did not properly serve it with process. (Dkt. #13.) I have reviewed Mr. Mitchell's motion for entry of default and attached papers, as well as the documents attached to Nye County's motion. Mr. Mitchell did not properly serve Nye County with the summons and complaint in this case. Therefore, the clerk's entry of default was improper. Although Mr. Mitchell is not a lawyer and is representing himself, he must comply with the service requirements of Federal Rule of Civil Procedure 4.

THEREFORE, Nye County's motion to set aside default **(Dkt. #13) is GRANTED** and the entry of default against it **(Dkt. #12) is SET ASIDE**.

DATED this 18th day of February, 2016.



ANDREW P. GORDON
UNITED STATES DISTRICT JUDGE